

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RALEIGH, N.C.

C202159

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202159

WBS 33435.3.1 BRZ-1564(3)

T.I.P NO. B-4072

COUNTY OF CHEROKEE
THIS IS THE ROADWAY & STRUCTURE CONTRACT
ROUTE NUMBER SR 1564 LENGTH 0.104 MILES
LOCATION BRIDGE OVER BRASSTOWN CREEK OVERFLOW AND APPROACHES ON
SR-1564 (BRASSTOWN RD).

CONTRACTOR COLWELL CONSTRUCTION CO.
ADDRESS P.O. BOX 850
BLAIRSVILLE, GA 30514

BIDS OPENED DECEMBER 15, 2009

CONTRACT EXECUTION JAN 0 8 2010

NCDOT/berc

Vendor 3750'8 Bid Information for Call 038, Letting L091215, 2009-12-15

Colwell Construction Company (3750).

Vendor 5 of 5 Vendors for Call Order 038 (Proposal In C202159).

County: CHEROKEE
Address: P.O. Box 850
Blairsville, GA 30514

Phone Number: 706-745-6239

Signature Check: This bid has been properly signed by CARLTON_CURTIS_COLWELL_3750.

Time Bid Received: Tue Dec 15 10:18:352009

Bid Checksum: 9CE7E61C

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$697,055.30 ✓

Bond ID: SNC09526349

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$34,852.76

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 12/14/20098:59:53 AM

Surety Name: Merchants Bonding Company (Mutual)

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET 9.0

DBE GOAL MET 9.1

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
2330	WB ROGER F WILLIAMS CO INC 23 HERITAGE DRIVE , ASHEVILLE, NC 28806		Sub 7,240.08 ✓ am
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 42,850.00 ✓ am
4426	WB WOOD TRUCKING COMPANY, INC 233 GUMLOG ROAD , YOUNG HARRIS, GA 30582		Sub 3,990.00 ✓ am
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 9,374.00 ✓ am
TOTAL:			\$63,454.08 ✓ am 9.10%

Miscellaneous Data Info - Contractor Responses:

NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

BondID: SNC09526349
 Surety Registry Agency: surety2000
 Verified?: Yes
 Surety Agency: Merchants Bonding Company (Mutual)

NCDOT/berc

Vendor 3750's Load Output for Call 038, Letting L091215, 2009-12-15

Bond Execution Date: 12/14/2009 8:59:53 AM

Bond Amount: \$34,852.76 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 11-17-09
Revised:

Contract ID: C202159 Project(s): BRZ-1564(3)
Letting Date: 12-15-09 Call Order: 038
Bidder: 3750 - Colwell Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			22,800.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+05.00)	LUMP	LUMP			6,200.00
0003	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	2.00000			2.00
0004	0057000000-E UNDERCUT EXCAVATION	CY 200.000	6.25000			1,250.00
0005	0063000000-N GRADING	LUMP	LUMP			5,980.80
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON 100.000	30.80000			3,080.00
0007	0106000000-E BORROW EXCAVATION	CY 4,200.000	10.45000			43,890.00
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY 70.000	15.95000			1,116.50
0009	0195000000-E SELECT GRANULAR MATERIAL	CY 100.000	25.00000			2,500.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 100.000	1.65000			165.00

State of NC
Dept of Transportation

Date: 11-17-09
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Bidder: 3750 - Colwell Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0199000000-E TEMPORARY SHORING	SF 780.000	52.95000		41,301.00	
0012	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON 13.000	38.50000		500.50	
0013	0320000000-E FOUNDATION CONDITIONING FABRIC	SY 45.000	1.93000		86.85	
0014	0366000000-E 15" RC PIPE CULVERTS, CLASS III	LF 48.000	19.05000		914.40	
0015	0576000000-E *** CS PIPE CULVERTS, ***** THICK (72", 0.109")	LF 72.000	215.17000		15,492.24	
0016	0995000000-E PIPE REMOVAL	LF 72.000	8.25000		594.00	
0017	1121000000-E AGGREGATE BASE COURSE	TON 456.000	27.03000		12,325.68	
0018	1220000000-E INCIDENTAL STONE BASE	TON 100.000	32.50000		3,250.00	
0019	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON 160.000	92.50000		14,800.00	
0020	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON 100.000	92.50000		9,250.00	
0021	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON 430.000	72.65000		31,239.50	
0022	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON 40.000	529.66000		21,186.40	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	20.000 TON	195.00000		3,900.00	
0024	2022000000-E SUBDRAIN EXCAVATION	23.000 CY	12.50000		287.50	
0025	2033000000-E SUBDRAIN FINE AGGREGATE	17.000 CY	39.60000		673.20	
0026	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	5.91000		591.00	
0027	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3.000 EA	76.73000		230.19	
0028	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	46.56000		279.36	
0029	2132000000-N CONCRETE PAD FOR SHOULDER DRAIN PIPE OUTLET	1.000 EA	275.90000		275.90	
0030	2220000000-E REINFORCED ENDWALLS	15.000 CY	950.75000		14,261.25	
0031	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	950.00000		1,900.00	
0032	2367000000-N FRAME WITH TWO GRATES, STD 840.29	2.000 EA	412.30000		824.60	
0033	2556000000-E SHOULDER BERM GUTTER	50.000 LF	28.90000		1,445.00	
0034	3380000000-E TEMPORARY STEEL BM GUARDRAIL	137.500 LF	6.30000		866.25	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3389100000-N GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	4.000 EA	840.00000		3,360.00	
0036	3420000000-E GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL	350.000 LF	42.00000		14,700.00	
0037	3420000000-E GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL, SHOP CURVED	50.000 LF	47.25000		2,362.50	
0038	3435000000-N GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	5.000 EA	99.75000		498.75	
0039	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE 350	3.000 EA	3,675.00000		11,025.00	
0040	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE AT-1	1.000 EA	1,260.00000		1,260.00	
0041	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	2,730.00000		10,920.00	
0042	3649000000-E RIP RAP, CLASS B	26.000 TON	52.21000		1,357.46	
0043	3656000000-E FILTER FABRIC FOR DRAINAGE	425.000 SY	2.60000		1,105.00	
0044	4400000000-E WORK ZONE SIGNS (STATIONARY)	163.000 SF	5.66000		922.58	

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			Dollars	Cts	Dollars	Ct
0045	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 144.000	7.20000		1,036.80	
0046	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 36.000	7.72000		277.92	
0047	4435000000-N CONES	EA 31.000	14.25000		441.75	
0048	4445000000-E BARRICADES (TYPE III)	LF 72.000	33.00000		2,376.00	
0049	4450000000-N FLAGGER	HR 720.000	11.50000		8,280.00	
0050	4465000000-N TEMPORARY CRASH CUSHIONS	EA 2.000	5,061.96000		10,123.92	
0051	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 30.000	9.72000		291.60	
0052	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 10,858.000	0.43000		4,668.94	
0053	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	LF 765.000	1.08000		826.20	
0054	6000000000-E TEMPORARY SILT FENCE	LF 2,310.000	2.50000		5,775.00	
0055	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 160.000	32.25000		5,160.00	
0056	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 190.000	32.25000		6,127.50	

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			Dollars	Cts	Dollars	Ct
0057	6012000000-E SEDIMENT CONTROL STONE	50.000 TON	33.50000		1,675.00	
0058	6015000000-E TEMPORARY MULCHING	3.000 ACR	594.00000		1,782.00	
0059	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	5.40000		540.00	
0060	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	1,080.00000		1,350.00	
0061	6024000000-E TEMPORARY SLOPE DRAINS	130.000 LF	11.88000		1,544.40	
0062	6029000000-E SAFETY FENCE	350.000 LF	1.84000		644.00	
0063	6030000000-E SILT EXCAVATION	430.000 CY	1.89000		812.70	
0064	6036000000-E MATTING FOR EROSION CONTROL	1,460.000 SY	2.05000		2,993.00	
0065	6037000000-E COIR FIBER MAT	50.000 SY	4.32000		216.00	
0066	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	180.000 SY	4.32000		777.60	
0067	6042000000-E 1/4" HARDWARE CLOTH	40.000 LF	3.78000		151.20	
0068	6071030000-E COIR FIBER BAFFLES	360.000 LF	6.48000		2,332.80	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0069	6071050000-E *** SKIMMER (1-1/2")	7.000 EA	832.00000		5,824.00	
0070	6084000000-E SEEDING & MULCHING	5.000 ACR	1,296.00000		6,480.00	
0071	6087000000-E MOWING	2.000 ACR	102.60000		205.20	
0072	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	5.40000		270.00	
0073	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,080.00000		270.00	
0074	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	5.40000		270.00	
0075	6108000000-E FERTILIZER TOPDRESSING	1.500 TON	1,296.00000		1,944.00	
0076	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	16.20000		81.00	
0077	6117000000-N RESPONSE FOR EROSION CONTROL	27.000 EA	140.40000		3,790.80	
0078	6123000000-E REFORESTATION	0.500 ACR	2,700.00000		1,350.00	
Section 0001 Total						391,659.74

Section 0004 STRUCTURE ITEMS

Alt Group

State of NC
Dept of Transportation

Date: 11-17-09
Revised:

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Letting Date: 12-15-09 Call Order: 038
Bidder: 3750 - Colwell Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0079	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+05.00-L-)	LUMP	LUMP			12,000.00
0080	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (15+05.00-L-)	LUMP	LUMP			5,000.00
0081	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 38.600	655.35000			25,296.51
0082	8210000000-N BRIDGE APPROACH SLABS, STATION***** (15+05.00-L-)	LUMP	LUMP			21,750.30
0083	8217000000-E REINFORCING STEEL (BRIDGE)	LB 6,116.000	0.95000			5,810.20
0084	8364000000-E HP12X53 STEEL PILES	LF 305.000	67.64000			20,630.20
0085	8468000000-E ONE BAR METAL RAIL	LF 150.500	92.00000			13,846.00
0086	8517000000-E 1'-***X ***** CONCRETE PARAPET (1'-0" X 1'-7 3/4")	LF 165.500	54.20000			8,970.10
0087	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 175.000	44.60000			7,805.00
0088	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 195.000	2.75000			536.25
0089	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			3,025.00

State of NC
 Dept of Transportation

Date: 11-17-09
 Revised:

Contract ID: C202159 Project(s): BRZ-1564(3)
 Letting Date: 12-15-09 Call Order: 038
 Bidder: 3750 - Colwell Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0090	8753100000-E 3'-0" X 2'-9" PRESTRESSED CONCBOX BEAMS	993.000 LF	182.00000		180,726.00	
	Section 0004 Total				305,395.56	
	Bid Total				697,055.30	

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:11-17-09
PAGE: 12

PROPOSAL: C202159
LETTING: L091215 CALL: 038
VENDOR: 3750 Colwell Construction Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
DBE SUBCONTRACTOR: 2330 ROGER F WILLIAMS CO INC							
Will Use Quote: Yes							
0014	0366000000-E	15" RC PIPE	LF	48.000	11.35000	544.80	
0015	0576000000-E	*** CS PIPE	LF	72.000	92.99000	6695.28	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						7,240.08	
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						7,240.0	✓ am
DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC							
Will Use Quote: Yes							
0034	3380000000-E	TEMP STL BM	LF	137.500	6.00000	825.00	
0035	3389100000-N	GDRL ANCH UN	EA	4.000	800.00000	3200.00	
0036	3420000000-E	GENERIC GUAR	LF	350.000	40.00000	14000.00	
0037	3420000000-E	GENERIC GUAR	LF	50.000	45.00000	2250.00	
0038	3435000000-N	GENERIC GUAR	EA	5.000	95.00000	475.00	
0039	3435000000-N	GENERIC GUAR	EA	3.000	3500.00000	10500.00	
0040	3435000000-N	GENERIC GUAR	EA	1.000	1200.00000	1200.00	
0041	3435000000-N	GENERIC GUAR	EA	4.000	2600.00000	10400.00	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						42,850.00	
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						42,850.0	✓ am
DBE SUBCONTRACTOR: 4426 WOOD TRUCKING COMPANY, INC							
Will Use Quote: Yes							
0007	0106000000-E	BORROW EXCAV	CY	4200.000	0.95000	3990.00	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						3,990.00	
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						3,990.0	✓ am
DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC							
Will Use Quote: Yes							
0050	4465000000-N	TEMPORARY CR	EA	2.000	4687.00000	9374.00	✓ am
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						9,374.00	
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						9,374.0	✓ am
TOTAL DBE COMMITMENT FOR VENDOR:				Entered:	9.10% or	63454.08	✓ am
				Required:	9.00% or	62734.98	
				<GOAL MET>			

Contract Item Sheets For C202159

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	22,800.00	22,800.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15 + 05.00)	Lump Sum LS	6,200.00	6,200.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	2.00	2.00
0004	0057000000-E	226	UNDERCUT EXCAVATION	200 CY	6.25	1,250.00
0005	0063000000-N	SP	GRADING	Lump Sum LS	5,980.80	5,980.80
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	100 TON	30.80	3,080.00
0007	0106000000-E	230	BORROW EXCAVATION	4,200 CY	10.45	43,890.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	70 CY	15.95	1,116.50
0009	0195000000-E	265	SELECT GRANULAR MATERIAL	100 CY	25.00	2,500.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	100 SY	1.65	165.00
0011	0199000000-E	SP	TEMPORARY SHORING	780 SF	52.95	41,301.00
0012	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	13 TON	38.50	500.50
0013	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	45 SY	1.93	86.85
0014	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	48 LF	19.05	914.40
0015	0576000000-E	310	*** CS PIPE CULVERTS, ***** THICK (72", 0.109")	72 LF	215.17	15,492.24
0016	0995000000-E	340	PIPE REMOVAL	72 LF	8.25	594.00
0017	1121000000-E	520	AGGREGATE BASE COURSE	456 TON	27.03	12,325.68
0018	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	32.50	3,250.00

Contract Item Sheets For C202159

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	160 TON	92.50	14,800.00
0020	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE 119.0B	100 TON	92.50	9,250.00
0021	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	430 TON	72.65	31,239.50
0022	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	40 TON	529.66	21,186.40
0023	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	20 TON	195.00	3,900.00
0024	2022000000-E	815	SUBDRAIN EXCAVATION	23 CY	12.50	287.50
0025	2033000000-E	815	SUBDRAIN FINE AGGREGATE	17 CY	39.60	673.20
0026	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	100 LF	5.91	591.00
0027	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3 EA	76.73	230.19
0028	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	46.56	279.36
0029	2132000000-N	816	CONCRETE PAD FOR SHOULDER DRAIN PIPE OUTLET	1 EA	275.90	275.90
0030	2220000000-E	838	REINFORCED ENDWALLS	15 CY	950.75	14,261.25
0031	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	950.00	1,900.00
0032	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	412.30	824.60
0033	2556000000-E	846	SHOULDER BERM GUTTER	50 LF	28.90	1,445.00
0034	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	137.5 LF	6.30	866.25
0035	3389100000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	4 EA	840.00	3,360.00
0036	3420000000-E	SP	GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL	350 LF	42.00	14,700.00

Contract Item Sheets For C202159

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3420000000-E	SP	GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL, SHOP CURVED	50 LF	47.25	2,362.50
0038	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	5 EA	99.75	498.75
0039	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	3,675.00	11,025.00
0040	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	1,260.00	1,260.00
0041	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	2,730.00	10,920.00
0042	3649000000-E	876	RIP RAP, CLASS B	26 TON	52.21	1,357.46
0043	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	425 SY	2.60	1,105.00
0044	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	163 SF	5.66	922.58
0045	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	144 SF	7.20	1,036.80
0046	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	36 SF	7.72	277.92
0047	4435000000-N	1135	CONES	31 EA	14.25	441.75
0048	4445000000-E	1145	BARRICADES (TYPE III)	72 LF	33.00	2,376.00
0049	4450000000-N	1150	FLAGGER	720 HR	11.50	8,280.00
0050	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	2 EA	5,061.96	10,123.92
0051	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	30 EA	9.72	291.60
0052	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	10,858 LF	0.43	4,668.94

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0053	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	765 LF	1.08	826.20
0054	6000000000-E	1605	TEMPORARY SILT FENCE	2,310 LF	2.50	5,775.00
0055	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	160 TON	32.25	5,160.00
0056	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	190 TON	32.25	6,127.50
0057	6012000000-E	1610	SEDIMENT CONTROL STONE	50 TON	33.50	1,675.00
0058	6015000000-E	1615	TEMPORARY MULCHING	3 ACR	594.00	1,782.00
0059	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	5.40	540.00
0060	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.25 TON	1,080.00	1,350.00
0061	6024000000-E	1622	TEMPORARY SLOPE DRAINS	130 LF	11.88	1,544.40
0062	6029000000-E	SP	SAFETY FENCE	350 LF	1.84	644.00
0063	6030000000-E	1630	SILT EXCAVATION	430 CY	1.89	812.70
0064	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,460 SY	2.05	2,993.00
0065	6037000000-E	SP	COIR FIBER MAT	50 SY	4.32	216.00
0066	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	180 SY	4.32	777.60
0067	6042000000-E	1632	1/4" HARDWARE CLOTH	40 LF	3.78	151.20
0068	6071030000-E	SP	COIR FIBER BAFFLES	360 LF	6.48	2,332.80
0069	6071050000-E	SP	*** SKIMMER (1-1/2")	7 EA	832.00	5,824.00
0070	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,296.00	6,480.00
0071	6087000000-E	1660	MOWING	2 ACR	102.60	205.20

Contract Item Sheets For C202159

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0072	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.40	270.00
0073	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,080.00	270.00
0074	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	5.40	270.00
0075	6108000000-E	1665	FERTILIZER TOPDRESSING	1.5 TON	1,296.00	1,944.00
0076	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	16.20	81.00
0077	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	27 EA	140.40	3,790.80
0078	6123000000-E	1670	REFORESTATION	0.5 ACR	2,700.00	1,350.00

Contract Item Sheets For C202159

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0079	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+05.00-L-)	Lump Sum LS	12,000.00	12,000.00
0080	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (15+05.00-L-)	Lump Sum LS	5,000.00	5,000.00
0081	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	38.6 CY	655.35	25,296.51
0082	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (15+05.00-L-)	Lump Sum LS	21,750.30	21,750.30
0083	8217000000-E	425	REINFORCING STEEL (BRIDGE)	6,116 LB	0.95	5,810.20
0084	8364000000-E	SP	HP12X53 STEEL PILES	305 LF	67.64	20,630.20
0085	8468000000-E	460	ONE BAR METAL RAIL	150.5 LF	92.00	13,846.00
0086	8517000000-E	460	1'-***"X *****" CONCRETE PARAPET (1'-0" X 1'-7 3/4")	165.5 LF	54.20	8,970.10
0087	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	175 TON	44.60	7,805.00
0088	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	195 SY	2.75	536.25
0089	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	3,025.00	3,025.00
0090	8753100000-E	430	3'-0" X 2'-9" PRESTRESSED CONC BOX BEAMS	993 LF	182.00	180,726.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$697,055.30 ✓

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION
CORPORATION**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

SIGNATURE OF CONTRACTOR

Colwell Construction Company, Inc.

Full name of Corporation

P.O. Box 850, Blairsville, GA 30514

Address as Prequalified

Attest *Luke Colwell*
Secretary/~~Assistant Secretary~~
Select appropriate title

Luke Colwell
Print or type Signer's name

By *Carlton H Colwell*
President/~~Vice President/Assistant Vice President~~
Select appropriate title

Carlton Colwell
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the
29th day of December 2009.

Misty Brooks
Signature of Notary Public

of Union County

State of Georgia

My Commission Expires: June 7, 2011



DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

Contract No **C202159**

County (ies): **Cherokee**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

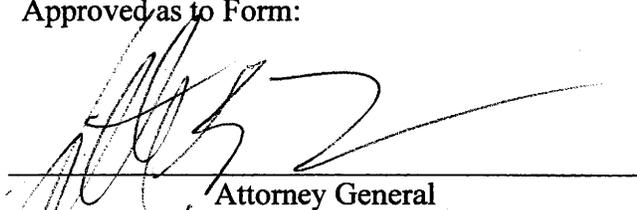


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General



Contract No. C202159
County Cherokee

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Bond No. NCC 48502

Date of Payment Bond Execution December 29, 2009
Name of Principal Contractor Colwell Construction Company, Inc.
Name of Surety: Merchants Bonding Company (Mutual)
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$697,055.30
Contract ID No.: C202159
County Name: Cherokee

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C202159
County Cherokee

(Rev 7-10-08)

CONTRACT PAYMENT BOND

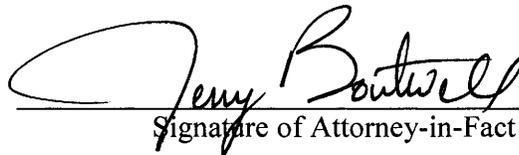
Affix Seal of Surety Company

Merchants Bonding Company (Mutual)

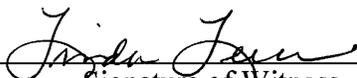
Print or type Surety Company Name

By Jerry Boutwell, Attorney-in-Fact

Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Linda Leece

Print or type Witness's name

3160 Campus Drive, Suite 100, Norcross, GA 30071

Address of Attorney-in-Fact

Contract No. C202159
County Cherokee

(Rev 7-10-08)

**CONTRACT PAYMENT BOND
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Colwell Construction Company, Inc.

Full name of Corporation

P.O. Box 850, Blairsville, GA 30514

Address as prequalified

By Carlton H. Colwell
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title

Carlton H. Colwell, President

Print or type Signer's name

Affix Corporate Seal

Attest Luke Colwell
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

Luke Colwell
Print or type Signer's name

Merchants Bonding Company

(Mutual)

POWER OF ATTORNEY

Know All Persons By These Presents, that the MERCHANTS BONDING COMPANY (MUTUAL), a corporation duly organized under the laws of the State of Iowa, and having its principal office in the City of Des Moines, County of Polk, State of Iowa, hath made, constituted and appointed, and does by these presents make, constitute and appoint

Leslie A. Paulsen, Christopher B. Wortham, Jerry Boutwell, Derek Wortham, Shirley Coleman

of Norcross and State of Georgia its true and lawful Attorney-in-Fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

THREE MILLION FIVE HUNDRED THOUSAND (\$3,500,000.00) DOLLARS

and to bind the MERCHANTS BONDING COMPANY (MUTUAL) thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the MERCHANTS BONDING COMPANY (MUTUAL), and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following Amended Substituted and Restated By-Laws adopted by the Board of Directors of the MERCHANTS BONDING COMPANY (MUTUAL) on November 16, 2002.

ARTICLE II, SECTION 8 - The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

ARTICLE II, SECTION 9 - The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed.

In Witness Whereof, MERCHANTS BONDING COMPANY (MUTUAL) has caused these presents to be signed by its President and its corporate seal to be hereto affixed, this 8th day of October, 2008.



MERCHANTS BONDING COMPANY (MUTUAL)

By

Larry Taylor
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 8th day of October, 2008, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



Cindy Smyth

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL), do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said MERCHANTS BONDING COMPANY (MUTUAL), which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Company on this 29th day of December, 2009.



William Warner Jr.
Secretary

Contract No. C202159
County Cherokee

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Bond No. NCC 48502

Date of Performance Bond Execution: December 29, 2009
Name of Principal Contractor: Colwell Construction Company, Inc.
Name of Surety: Merchants Bonding Company (Mutual)
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$697,055.30
Contract ID No.: C202159
County Name: Cherokee

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C202159
County Cherokee

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Merchants Bonding Company (Mutual)

Print or type Surety Company Name

By Jerry Boutwell, Attorney-in-Fact
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Linda Leece
Print or type Witness's name

3160 Campus Drive, Suite 100, Norcross, GA 30071
Address of Attorney-in-Fact

Contract No. C202159
County Cherokee

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Colwell Construction Company, Inc.

Full name of Corporation

P.O. Box 850, Blairsville, GA 30514

Address as prequalified

By Carlton H. Colwell
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title

Carlton H. Colwell, President

Print or type Signer's name

Affix Corporate Seal

Attest Luke Colwell
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

Luke Colwell
Print or type Signer's name

Merchants Bonding Company

(Mutual)

POWER OF ATTORNEY

Know All Persons By These Presents, that the MERCHANTS BONDING COMPANY (MUTUAL), a corporation duly organized under the laws of the State of Iowa, and having its principal office in the City of Des Moines, County of Polk, State of Iowa, hath made, constituted and appointed, and does by these presents make, constitute and appoint

Leslie A. Paulsen, Christopher B. Wortham, Jerry Boutwell, Derek Wortham, Shirley Coleman

of Norcross and State of Georgia its true and lawful Attorney-in-Fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

THREE MILLION FIVE HUNDRED THOUSAND (\$3,500,000.00) DOLLARS

and to bind the MERCHANTS BONDING COMPANY (MUTUAL) thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the MERCHANTS BONDING COMPANY (MUTUAL), and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following Amended Substituted and Restated By-Laws adopted by the Board of Directors of the MERCHANTS BONDING COMPANY (MUTUAL) on November 16, 2002.

ARTICLE II, SECTION 8 - The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

ARTICLE II, SECTION 9 - The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed.

In Witness Whereof, MERCHANTS BONDING COMPANY (MUTUAL) has caused these presents to be signed by its President and its corporate seal to be hereto affixed, this 8th day of October, 2008.



MERCHANTS BONDING COMPANY (MUTUAL)

By

Larry Taylor
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 8th day of October, 2008, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.

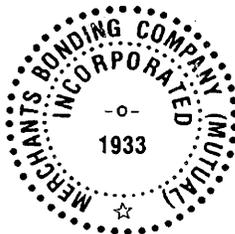


Cindy Smyth
Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL), do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said MERCHANTS BONDING COMPANY (MUTUAL), which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Company on this 29th day of December, 2009.



William Warner Jr.
Secretary